



**UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/925,868	09/09/97	ISBARA	M INPA: 035

TERRY D MORGAN
ARNOLD WHITE AND DURKEE
P O BOX 4433
HOUSTON TX 77210

MM51/0612

EXAMINER
WELLS, K

ART UNIT	PAPER NUMBER
2816	

DATE MAILED: 06/12/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/925,868

Applicant(s)

ISBARA

Examiner

KENNETH B. WELLS

Group Art Unit

2816

☒ Responsive to communication(s) filed on 9-9-97

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-16 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-16 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☒ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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1. Claims 1, 8 , 13 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention.

In each of the independent claims, the recitation that the circuit and/or method performs level conversion does not appear to be supported by the claimed limitations, i.e., all that is recited is the FET 16 and the resistive element 18, which do not perform level conversion. It appears that the level conversion is performed by the inverter 26, which must be recited to support the level conversion recitation. The claims are currently incomplete and lack recitation of critical features of the invention, see MPEP 2172.01.

In claim 8, it is improper to recite the parasitic capacitance as one of the elements of the invention, i.e., this is an effect of the other elements. Also in claim 8, it is not understood how the resistor 18 "pumps" the voltage applied to the gate of FET 16, and thus this language appears to be misdescriptive.

Also note that the language "adapted to" throughout the claims is indefinite because there is no indication of how the elements are "adapted", i.e., modified somehow?

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2. The disclosure is objected to because of the following informalities: in claim 1, line 3, "terminaland" should be changed to --terminal and--. Appropriate correction is required.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Howell or Chown et al.

The claimed invention is merely an input signal being applied to an inverter through a resistive load which is notoriously well-known in the art, of which fact official notice is taken. The load being a FET biased as a resistor with a capacitor thereacross is also well-known in the art, as shown by the two above-noted references. The motivation for using this type of well-known resistive load is to enable adjustment of the impedance, as taught by Chown et al, see column 2, lines 19-24. The feedback FET 28 is also notoriously well-known in the art for the purpose of latching the output signal at a high logic level.

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The resistive element coupled between the bias voltage and the control terminal of the FET would have been obvious as well for the purpose of setting the voltage applied to the gate of the FET to a value less than the bias voltage, as is well-known in the semiconductor art.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth B. Wells whose telephone number is (703) 308-4809. The examiner can normally be reached on Monday through Friday from 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Callahan, can be reached on (703) 308-4876. The fax phone number for this Group is (703) 308-7722.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [timothy.callahan@uspto.gov].

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All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.



Kenneth B. Wells
Primary Examiner, Art Unit 2816

June 5, 1998